



Region Three, Bozeman  
October 10, 2018

**Jason Mayfield Roadside Menagerie  
Environmental Assessment  
Decision Notice**

Proposed Action

Montana Fish, Wildlife and Parks proposes to proceed in the issuance of a Roadside Menagerie permit for Jason Mayfield. The menagerie will house two black bears that originated in captivity for private viewing by guests of the Air B&B operated by Mayfield.

Montana Environmental Policy Act

Fish, Wildlife and Parks assessed the impacts of the proposed project on the human and natural environments. These effects were disclosed in the Environmental Assessment to comply with the requirements of the Montana Environmental Policy Act (MEPA).

A 30-day comment period was open from June 1 through June 30, 2018. Public notification of the proposed action was facilitated with a state-wide press release and was carried in the major newspapers throughout the state. In addition, the press release directed citizens to the EA which was posted on the Fish, Wildlife and Parks website at [www.fwp.mt.gov](http://www.fwp.mt.gov).

Comments on the Mayfield Menagerie

**78 comments generally support the establishment of Mayfield Roadside Menagerie for various reasons.**

*Reasons:*

- Economic benefit
- Mayfield's experience with bears and care of other animals
- Mayfield's knowledge of bears and other animals
- Mayfield's consulting work with a Zoological garden regarding bears
- Opportunity for bear education and safety around bears

*Comment: "Jason has agreed to fulfill all necessary conditions to satisfy the State of Montana with regard to the safety of both humans and wildlife in his area, and this is especially true given the construction and security of his facility."*

Response: "Thank you for your comment regarding the construction and security of the facility that has been built."

**98 comments generally oppose the establishment of Mayfield Roadside Menagerie for various reasons outside the authority of FWP.**

*Reasons:*

- Animal cruelty-** beyond the authority of FWP
- Inhumane Treatment-** Beyond the authority of FWP
- Animal Health-** Beyond the authority of FWP, purview of Dept. of Livestock
- Animal Nutrition-** Beyond the authority of FWP
- Animal Welfare-** Beyond the authority of FWP, purview of USDA
- Lack of enrichment for the bears-** Beyond the authority of FWP
- Bears should remain wild-** The bears were born in captivity and cannot be released to the wild.

**Increased or congested traffic on highway 89:**

**Response:** Memorandum of Agreement # 7 states that all parking must be in parking lot and not create a situation where visitors are parking on the turnout along highway. Also, the proposed menagerie is located about 1/2 mile off of the highway and is not visible from the highway.

**Sending wrong message to visitors**

**Response:** Memorandum of Agreement #8 states that all education and outreach regarding bears must be accurate and coordinated with FWP and other professional educators and biologists.

**Frequent absences and long absences of applicant**

**Response:** Memorandum of Agreement #26 states that at any time there are bears on site, a caretaker must be present and trained in the handling of bears and in the use of the required firearm, required pepper spray, and well versed in the Contingency Plan.

**What capacity will guests interact**

**Response:** The public will not be in contact with the bears at any time. The proposed project is for viewing only.

**Attracting other wildlife to the Menagerie**

**Response:** It may be likely that other wildlife would be attracted to the site, Memorandum of Agreement #10 would, in large part, mitigate factors that cause an attractant to the menagerie through proper sanitation and husbandry practices.

***"How often will FWP check this place?"***

**Response:** FWP has the authority under MCA 87-4-806 to inspect the menagerie at all reasonable hours. Also, Mayfield agrees to on-site inspections announced or unannounced under Memorandum of Agreement #19.

**"If I were living near an exhibit like this the odors, sounds and sight of these bears would diminish our quality of life"**

**Response:** FWP has mitigated sanitation and husbandry practices under Memorandum of Agreement #10, however there is no measure for "quality of life" as that varies from one person's perspective to another and is not defined in Montana law.

**"In my opinion this idea is a motive for profit of some people using a wild, state resource for their personal benefit. This is just WRONG!!"**

**Response:** The bears were captive born and were never property of the state of Montana. Likewise, they can never be released to the wild.

Final Environmental Assessment for Jason Mayfield Roadside Menagerie Permit

The Draft EA and this Decision Notice will serve as the final document with the following exception.

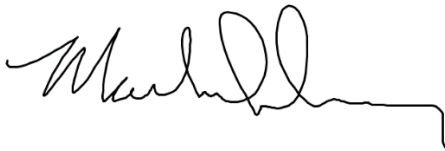
- Memorandum of Agreement number 4 shall read "An electrical wire shall be installed near the top of the exterior fence. The fence shall extend a minimum of 3 feet below ground and made of welded metal panel no less than 6-gauge wire.

The area around the buried welded metal panel shall be compacted road base material, which combined, will serve as a dig out curtain”.

### Decision

Based on the information in the EA, it is my decision to proceed with the proposed action with one amendment. The proposed action is to issue the Roadside Menagerie permit to Jason Mayfield. The amendment to the proposed action is in the Memorandum of Agreement as summarized in this notice. The issuance of the permit is subject to final inspection and with the understanding that any expansion must be completed, and an approved inspection be completed prior to use.

Based on the analysis in the Environmental Assessment and applicable laws, regulations and policies for the operation of Roadside Menageries, I have determined that this action will not have any significant effect on the natural or human environments. Therefore, an Environmental Impact Statement is not warranted. If you have questions regarding this decision notice, please contact me at (406) 994-4042, 1400 South 19<sup>th</sup> Avenue, Bozeman, MT 59718 or at [mdeleray@mt.gov](mailto:mdeleray@mt.gov).

A handwritten signature in black ink, appearing to read 'Mark Deleray', with a long horizontal flourish extending to the right.

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Mark Deleray  
Region Three Supervisor